REGISTERED PATENT ATTORNEY IOHN IAMES MOCLEW I.D., NY, NI, DC BARS D.W. DARREN KANG ID, NI BAR Only

THEOBALD J. DENGLER, PATENT AGENT HILDA S. MOGLEW M.D., PATENT AGENT

# McGLEW AND TUTTLE, P.C.

PATENT, TRADEMARK, COPYRIGHT, AND UNFAIR COMPETITION CAUSES

Counselors at Law

TEL: (914) 941-5600 FACSIMILE: (914) 941-5855 EMAIL:MandT@mcglewtuttle.com

1 SCARBOROUGH STATION PLAZA SCARBOROUGH, NEW YORK 10510-0827

RECEIVED **CENTRAL FAX CENTER** OCT 1 2 2004

### ATTORNEY DOCKET NO: 70201RCE IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant

: MARKERT : 09/885,566

19149415855

Serial No Confirm. No

: 6188

Filed

: June 20, 2001

For

: GEAR, PARTICULARLY...

Art Unit

: 3682

Examiner

: Timothy P. McAnulty

Dated

: October 5, 2004

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

CERTIFICATE OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY THAT THIS PAPER FOR SERIAL NO. 09/885,566 (7 PAGES IN ALL) IS BEING FACSIMILE TRANSMITTED TO THE PATENT AND TRADEMARK OFFICE FACSIMILE NUMBER 1-703-872-9306 ON THE DATE SHOWN BELOW.

NAME OF PERSON SIGNING CERTIFICATION

SIGNATURE

DATED: October 5, 2004

McGLEW AND TUTTLE, P.C. SCARBOROUGH STATION

SCARBOROUGH, NEW YORK 10510-0827

TELEPHONE: (914) 941-5600 FACSIMILE: (914) 941-5855

NOTE:

IF THERE IS ANY ADDITIONAL FEE DUE PLEASE CHARGE IT TO OUR

DEPOSIT ACCOUNT 13-0410 AND ADVISE US OF ANY CHARGE THAT YOU

MAKE

70201RCE.9

RECEIVED **CENTRAL FAX CENTER** OCT 1 2 2004

#### ATTORNEY DOCKET NO: 70201RCE

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant

: MARKERT

Serial No

: 09/885,566

Confirm. No: 6188

Filed

: June 20, 2001

For

Art Unit

: GEAR, PARTICULARLY...

Examiner: Timothy P. McAnulty

Dated

: October 5, 2004

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

#### <u>AMENDMENT</u>

In response to the Office Action dated September 8, 2004, please amend the aboveidentified application as follows: